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ABSTRACT

The handbook is designed to explain to parents of handicapped children in Wisconsin their roles and responsibilities in special education procedures of identification, evaluation, and placement. Specific aspects of Wisconsin state law are explained as well as federal statutes (P.L. 94-142 and Section 504 of the Rehabilitation Act of 1973). The following aspects are addressed (sample subtopics in parentheses): identification (child find, screening, referral); evaluation (notification and permission); individual education plan development (contents); placement (notice of intent); disagreements (mediation, hearing or appeal process); complaints (state, federal, where to file); and due process (evaluation procedures, independent evaluation, least restrictive environment, complaints, hearings, confidentiality). A list of Wisconsin organizations for parents of handicapped children is followed by a glossary of approximately 85 terms. (CL)

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The EEN Triangle of Support

A GUIDE FOR PARENTS

REVISED EDITION

Wisconsin Department of Public Instruction / Herbert J. Grover, State Superintendent

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THE EEN TRIANGLE OF SUPPORT

A GUIDE FOR PARENTS

A parent handbook that explains handicapped education and parental rights and responsibilities.

Wisconsin Department of Public Instruction

Herbert J. Grover, State Superintendent of Public Instruction

Victor J. Contrucci, Assistant Superintendent
Division for Handicapped Children and Pupil Services

Revised 2/84

Bulletin No. 4294

This parent handbook was developed by the Wisconsin Department of Public Instruction in cooperation with the State Superintendent's Council on Exceptional Education. The handbook explains handicapped education processes and procedures and the role and rights the parent has during the process of identification, evaluation, and placement of exceptional educational needs children.

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INTRODUCTION

Each student who enters a public school has the right to expect to be treated like any other child who enters school. We are all aware that some children have special problems and needs and require a different educational program than the other children.

The state (Subchapter V, Chapter 115, Wis. Stats.) and federal (Education of the Handicapped Act as amended by PL 94-142 and Section 504 of the Rehabilitation Act of 1973) laws require that schools identify these children and provide them with special education. The children identified as needing this special education are called exceptional educational needs (EEN) children. Special education is defined as a special course of instruction designed to meet the identified EEN of the individual child.

The following information explains how a school must go about finding, evaluating, developing a program, and placing these children. It also describes actions that parents or schools can take if there are disagreements between parents and the school. And finally, it explains certain rights parents and schools have when this is being done.

If you would like copies of the state and federal handicapped education laws and rules, write to: Director, Bureau for Exceptional Children, Division for Handicapped Children and Pupil Services, Department of Public Instruction, 125 South Webster Street, Post Office Box 7841, Madison, Wisconsin 53707.

IDENTIFYING CHILDREN WITH POSSIBLE

EXCEPTIONAL EDUCATIONAL NEEDS

A most important task for the school is to identify those children who may be handicapped and who may require exceptional education. The law therefore requires that this be done through:

Child Find

Each school is required to carry out child find activities. The school must actively seek out any child who may have a handicapping condition. Schools do this by publishing articles in the newspapers, distributing bulletins and pamphlets, the school census, and by having a fixed point to contact for parents who think their child may have such a problem. Each school principal should be able to tell parents who to call.

Although in Wisconsin the public schools are only required to provide special education to children from age three (3) through twenty-one (21), schools will refer parents with a child below the age of three years to the right agency for evaluation.

Screening

The state handicapped education law also requires that schools continue the effort to identify children who may be handicapped by requiring schools to screen all children when they first enroll in a school in the district. The more familiar to us is the screening that is done when a child first enrolls in kindergarten but the law also applies to those children who move from one district to another.

Parent permission is not required to have a child go through a screening process. Parents may refuse to allow their children to take part, however. Schools cannot require that a child go through a formal screening process as a prerequisite to starting school.

In addition to this formal screening process, schools must ensure that informal ongoing screening also takes place. This is usually in the form of observations and testing programs that are carried out by classroom teachers and other personnel in the school during the school year.

The earlier a handicapped child can be identified and served, the better the chances are for the child's future, or the more that can be done to improve the child's chances for the future.

If you have a child you suspect may be handicapped, but don't know where to go or who to talk to locally, call the toll-free number for the State Department of Public Instruction, Division for Handicapped Children and Pupil Services' Hotline:

Monday through Friday (8:00 a.m. to 4:00 p.m.)

Madison	608-266-8143	(Voice and TDD)
Milwaukee	414-342-3020	
Statewide	1-800-362-3020	

WHEN CALLING HOTLINE NUMBER, PLEASE ASK FOR "DHC HOTLINE."

Referral

Both the federal and state laws require that a referral process be part of the identification process. Since the state law (Chapter 115) is more specific, its rules and regulations for referral are followed. This requires that any certificated (licensed) personnel working in the public school shall (or must) refer a child if they suspect or have a reason to believe that the child has an exceptional educational need.

A physician, nurse, teacher at a state or county residential facility, psychologist, social worker or administrator of a social agency who has reason to believe that a child has an exceptional educational need shall (must) report the child to the school. Parents may also refer a child.

Before this referral is made, the parents must be notified that a referral is going to be made.

The referral must state the suspected handicapping condition and the reason why it is suspected. In some cases the condition may be unknown but the reason must be stated.

Schools must process every referral that is made for an EEN. The only thing that can stop the child from being evaluated is if the parents refuse to allow the evaluation to be done.

If a parent suspects that his/her child has an EEN, the best thing to do is to talk to the child's teacher, the principal, guidance counselor or the director of special education about the child's problem. They will help the parent make the referral.

Once the referral is made, the school has 90 days to evaluate, develop an individual education plan (IEP) and offer placement for a child determined to be EEN. Children determined not to be EEN will be referred for other services. It is a good idea for parents to make their referral in writing so that they can keep track of the date. School personnel will help you do this.

Parents cannot stop someone such as a teacher from referring their child if that teacher feels there is reason to believe the child may have an EEN. The law requires that teachers refer a child even though the parent may object.

EVALUATION

Once a child is referred as having a possible exceptional educational need, the school district must evaluate the child. This is done by a multi-disciplinary team (M-team) which is a team of experts from different fields. The smallest team possible must have at least two members. The team can be as large as necessary. There must be at least two experts on the team who are skilled in assessing and programming in the area of the suspected handicap. One of these people must be certified to teach children with that condition. If there are two or more suspected conditions, there must be a person certified in each condition.

Before this evaluation can be done, the parents must be notified in writing that the school intends to evaluate their child. This notice of intent to evaluate must state the area(s) to be evaluated (i.e., intellectual, visual, auditory, etc.); who is going to do it (i.e., school psychologist, teacher, nurse, etc.); the purpose for the evaluation; and the general type of testing instruments that are going to be used. This notice must be given every time the school intends to do an evaluation.

Along with the information listed above, the notice must also inform parents about the procedural safeguards. These procedural safeguards are meant to protect the rights of the child. These can be found on pages 21 through 27.

If this is the initial (first) evaluation to be done by the school, parents are asked to give their written consent for the evaluation. This consent is voluntary and parents may refuse to give it. For re-evaluations, written consent is not required. If, however, the school feels that the child's rights to an appropriate education may be denied by the parents' refusal to allow the evaluation to take place, the school has the right to ask for a hearing. An impartial hearing officer will make the decision as to whether the child should or should not be evaluated. (See the section on Disagreements.)

The purpose of the M-team evaluation is to determine if the child has a disability which is a handicapping condition and which requires special education or in other words, if the child has an exceptional educational need.

Once the permission to evaluate is received, the first step in the M-team evaluation process is to review the information and data that may already exist on the child. After reviewing this information, the M-team makes one of the following decisions:

1. The information is not complete and more evaluations are needed before a decision can be reached.
2. The information shows that the child definitely has an exceptional educational need.
3. The information shows that the child definitely does not have an exceptional educational need.

If the M-team makes the first choice, they must do the necessary evaluations until they have complete information to decide if the child does or does not have an EEN.

When the M-team has completed its evaluation and has made a decision that the child has a disability, handicapping condition, and a need for special education, the M-team must say how the handicapping condition interferes with the behavioral and academic functioning in the child's present educational program; what interventions or modifications still may need to be tried in regular education; and how the essential elements of the proposed program will differ from the current program.

The school will inform parents of the date of the final M-team staffing. The parents may attend this meeting, but their presence is not required.

The M-team must submit a written report to the director of special education or program designee. The director/designee will approve the report as written or will return it to the M-team for further evaluations. After the report is approved, the school must send the parents a copy of the M-team recommendations and a brief statement of the reasons for the recommendations.

The school must also schedule a conference with the parent to explain the findings and recommendations. If the parents attended the M-team staffing, this meets the conference requirement. In cases where the parents did not attend the M-team staffing, this explanation could be given at the IEP conference. In some cases, especially where parents have some specific questions, a separate conference might be held.

It is at this point that parents can request an independent evaluation if they don't agree with the findings and recommendations of the evaluators. The school may pay for these independent evaluations or they may feel that the evaluation team has done a thorough job and may request a hearing to see if they have to pay. An impartial hearing officer will make the decision. In the case where the school pays, the school has the right to set standards for independent evaluations that are similar or the same as those used by the school. However, the M-team must consider any private or independent evaluations that may have a bearing on the decision if the parents make them available to the team.

INDIVIDUAL EDUCATION PLAN DEVELOPMENT

After the multidisciplinary team of evaluators has completed its report and if an EEN is identified, an individual education plan (IEP) must be developed. This plan specifies the objectives of the special education program to meet the individual child's identified EEN and the related and supportive services to be provided. The plan is developed at an IEP conference. The school must have a representative of the administration present and someone who is qualified to teach in the area of the identified handicapping condition. The parent must also be present if at all possible. In some cases it is a good idea to have the child there too. The parents may bring a friend or advisor to the IEP meeting.

The IEP meeting must be held at a time and place which is mutually agreed upon. If the parents and the school cannot agree upon a time and place, the school must attempt to involve the parents by telephone. If the school finds that they cannot arrange a meeting with the parents, the school may go ahead and develop the IEP and send the parents a copy.

The IEP must be developed before the student is placed in special education. It must include a statement of:

- the student's present competencies or educational performance.
- year-long learning goals and short-term instructional objectives for reaching those goals (may be in terms of nine weeks, semester, or even a school year)
- the specific educational services through regular and special education, and related services to be provided
- the amount of time (approximate percentage) that the student receives in each service

- projected dates for beginning and ending the special education instruction and related services
- the plans to evaluate the student's progress to see if the goals and objectives are being met.

Parents' suggestions must be considered by the IEP preparers. The parents do not have to consent to the IEP.

Once the IEP is developed, the goals, objectives, percentage of time, or services provided cannot be changed without notifying the parent and arranging a conference to discuss the reasons for the change. (See Disagreements.)

The child's IEP must be reviewed and revised periodically but it must be done at least once a year. Parents must be invited to the meeting when this is done.

PLACEMENT

The director of special education or the program designee must send a notice of the proposed administrative placement offer to the parents after approval of the M-team report and the IEP. This notice must contain the procedural safeguards. (Check pages 21 through 27.) In addition to the procedural safeguards, the right to refuse placement and the right to request a hearing must be clearly stated.

The notice of intent to place must include the following:

1. justification for the type of educational placement in terms of the least restrictive environment
2. type and level of program
3. location of the program
4. personnel involved
5. anticipated duration in special education
6. projected enrollment date in special education
7. a general statement of the amount of responsibility of special and regular education and supportive service programming.

This proposed placement offer is based on the M-team report and the IEP. Parents may want to review these to make sure the program being offered is appropriate in terms of the handicapping condition and exceptional educational needs that were identified and the individual education plan that was developed.

If the district does not have an appropriate placement in the district, they must offer to place the child in another public school program in the state as near as possible to the child's home. If no such program is available in the public schools in the state, the district must offer to place the child in a public school program outside the state or in a private school. This would be done at no cost to the parent. Private or out-of-state placements require the approval of the State Superintendent.

A child with exceptional educational needs may have needs which extend beyond the school's responsibility in the IEP. These needs might include mental health services from the s.51.42/.437 Community Board or protective services from the county department of social services. When such services are required, the parent and/or school should initiate a referral for such services with the appropriate community agency.

DISAGREEMENTS

In a few cases, parents may disagree with what the school proposes to do or has done. Parents may initiate a hearing (appeal) if the school proposes to or refuses to initiate or change the identification, evaluation, educational placement or the provision of free, appropriate public education of the child. Although not specifically provided for in either the federal or state laws, a successful alternative to a hearing has been the process of mediation. Both procedures are explained as follows.

Mediation

It is recommended that mediation be attempted when a disagreement occurs between the parents and the school which cannot be informally resolved in conferences or meetings between the school and the parents.

Mediation requires that both parties, the school and the parents, agree to the process. Once this is done, a neutral third party is selected by mutual agreement. This third party will then attempt to negotiate a settlement that will be agreed to by the school and the parents. This settlement is not forced upon either or both parties but must be voluntarily accepted by both.

Mediation has proven to be quicker and less costly than the formal hearing and is less likely to create an adverse reaction on the part of the parents or the school or both.

Parents may request a hearing and then consent to mediation without jeopardizing the hearing process. Usually a delay or postponement is granted until mediation has failed. In that case the hearing process may resume.

Hearing or Appeal Process

Parents may elect to go directly to a hearing or may go through mediation and after it has failed, go to a hearing. School districts may also request a hearing to appeal the lack of consent by the parents.

An appeal hearing is initiated when the parent sends a letter of request for a hearing to the school board. An impartial hearing officer will conduct the hearing and issue a final decision within 45 days of the request for a hearing. The hearing officer may grant an extension of time at the request of either party. The hearing officer's decision is final and binding unless appealed to the state superintendent of public instruction within 30 days of the hearing officer's written decision.

A school district may initiate a hearing by informing the parents that they are going to schedule a hearing on the area of disagreement. The process is the same as if the parent had made the request. An impartial hearing officer and the same timelines are required. The parents or the district could appeal the decision.

The child's educational placement may not be changed during the hearing process unless the parents and the school agree. If the hearing involves initial admission to the public school, the child with the consent of the parents must be placed in the public school program until completion of the hearing proceedings.

The basic rights for a hearing are as follows:

a. Right of the parent to request an impartial due process hearing to question the identification, evaluation, placement of a child or provision of a free, appropriate public education.

b. Right to have the hearing conducted by the school including the use of an interpreter, if necessary.

c. Right to be told of any free or low cost legal and other relevant services available (e.g., expert on handicapping conditions that may be witness at the hearing).

d. Right to have the hearing conducted by an impartial hearing officer.

e. Right to see a statement of qualifications of the hearing officer.

f. Right to be accompanied to the hearing and advised by counsel and individuals with special knowledge or training in problems of the handicapped.

g. Right to have the child present.

h. Right to have the hearing open to the public.

i. Right to present evidence and confront, cross-examine, and compel the attendance of witnesses.

j. Right to prohibit the introduction of any evidence at the hearing that has not been disclosed at least five days before the hearing.

k. Right to have a record of the hearing.

l. Right to obtain written findings of fact and a written decision within 45 days after the agency received the initial request for the hearing.

m. Right to appeal to the state superintendent and receive a decision within 30 days of the filing.

n. Right to appeal a decision from the state superintendent into court.

o. Right to have the child remain in his/her present educational placement during the administrative proceeding, unless parent and agency agree otherwise.

Further information about the mediation and hearing processes can be obtained from your local school or the Division for Handicapped Children and Pupil Services.

COMPLAINTS

There are a few cases where parents are satisfied with the identification, evaluation, placement and provision of free, appropriate public education by the school but are concerned or dissatisfied with the process or procedures used by the school to achieve them. In this case, the parents can enter a complaint. There are several ways this can be done.

State Complaint

A written complaint of noncompliance under s. 115.88, Wis. Stats., and Wis. Administrative Code, s. PI 11.28, can be filed with the State Superintendent of Public Instruction. This complaint would allege that a school district has not provided programs for children with exceptional educational needs as required by state statutes. This type of complaint is appropriate in instances where districts are questioned on the provision of special education programs as opposed to instances where the disagreement is over the quality of a program provided for a specific child.

EDGAR Complaint

An individual or an organization may file a written complaint under the Education Division General Administrative Regulations (EDGAR), 34 C.F.R. 76.780-783, with the State Superintendent of Public Instruction. In cases concerning handicapped children, the complaints are directed to Victor J. Contrucci, Administrator, Division for Handicapped Children

and Pupil Services. This complaint would allege that a school district or state education agency has violated a federal statute or regulation. This type of complaint is appropriate when a violation of federal statutes or regulations is believed to have occurred as opposed to a disagreement over quality of the provision of special education services.

OCR Complaint

A complaint may be filed with the Office for Civil Rights (OCR) under Title VI of the Civil Rights Act of 1964 and under federal regulation adopted under this Act, 34 C.F.R. 100.7. This complaint would allege that an individual child or class of individuals have been subjected to discrimination. The complaint must be made within 180 days of the alleged discrimination under Section 504 of the Rehabilitation Act of 1973, unless this timeline is extended by the Office for Civil Rights.

Where to File a Complaint

A. State Superintendent
Department of Public Instruction
125 South Webster Street
P.O. Box 7841
Madison, Wisconsin 53707

B. Office for Civil Rights - Region V
300 South Wacker Drive - 8th Floor
Chicago, Illinois 60606

DUE PROCESS: WHAT IS IT?

In simple terms, due process means that you have the right to be treated fairly. The due process requirement has its basis in the 5th and 14th amendments to the U.S. Constitution. Section I of the 14th Amendment states that no state shall "deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." Although the federal constitution does not address education specifically, the Supreme Court has ruled that students have a property interest in public education (Goss vs. Lopez, 1975) and the right to equal protection of the laws (Brown vs. Board of Education, 1954).

Section 3, Article X, of the Wisconsin Constitution states, "The legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be free and without charge for tuition to all children between the ages of 4 and 20 years; . . . ."

Once a state has given the right to a free public education, it cannot deny a student that right without first giving that student the right to a fundamentally fair process. Removing the student from the regular classroom or even providing him with a special learning program and/or materials means that certain procedural safeguards must be followed.

The school cannot identify a student as handicapped without affording due process. Labeling a student as EEN may restrict the student's full exercise of liberty. Liberty in this case means the right to privacy, personal security, and reputation. The following minimum procedural requirements must be met by the state (or an arm of the state, i.e. local school district): 1) that notice be provided; 2) that adequate opportunity is provided for the person to be heard.

These basic federal and state constitutional guarantees have been further expanded upon by the passage of both federal and state handicapped education laws. In addition, the implementation of these laws is directed by the rules and regulations (which have the effect of law).

There are certain things that must be done to ensure fundamental fairness when schools identify, evaluate, program, and place EEN students. These are called procedural safeguards. Both <u>parents</u> and <u>schools</u> have certain rights that are in the law.

RIGHTS AND DUE PROCESS PROCEDURES

<u>Notice</u>

A. Right to notice before the school initiates or changes or refuses to initiate or change the identification, evaluation, program, or placement of the child.

B. Right to have that notice in writing, in the parents' native language or other principal mode of communication, at a level understandable to the general public.

C. Right to have the notice describe the proposed action, explain why it is proposed, describe the options considered and explain why those other options were rejected.

D. Right to be notified of each evaluation, procedure, test, record or report the agency will use as a basis for any proposed action.

E. Right to receive a description of the types of special education programs/services available.

Consent

A. Right to consent before an initial evaluation is conducted and before initial placement in special education.

B. Right to revoke consent for preplacement evaluation or initial placement.

C. Right of the school to proceed in the absence of consent to a hearing to determine if the child should be initially evaluated or initially placed.

D. Right to dispute at a hearing such an action in the absence of consent.

E. Right to revoke consent at any time.

Evaluation Procedures

A. Right to have a full and individual evaluation of the child's educational needs.

B. Right to be assured that testing does not discriminate on the basis of language or culture.

C. Right to have tests sensitive to impaired sensory, manual, or speaking skills.

D. Right to have more than one criterion used in determining the appropriate educational program.

E. Right to provide input into the evaluation performed by a multidisciplinary team.

F. Right to have the child assessed in all areas related to the suspected disability.

G. Right to have a re-evaluation every three years or more frequently if conditions warrant or if the child's parent or teacher requests it.

H. Right to have additional diagnostic services at no expense if recommended by the M-team.

Independent Evaluation

A. Right to request an independent educational evaluation at no expense to the parent.

B. Right to be told where an independent evaluation may be obtained.

C. Right of the school to have a hearing to determine if they have to pay for an independent evaluation.

D. Right to get an independent evaluation at parent's expense if it is determined school will not pay for it.

E. Right to have the evaluation considered in any decision made in providing services to the child.

F. Right to have local school district pay for the evaluation if the school's evaluation was not appropriate as decided by an impartial hearing.

G. Right of an impartial hearing officer to order an independent evaluation at public expense if deemed necessary.

H. Right to be told that the criteria under which the evaluation is obtained including the location of the evaluation and qualifications of the examiner, shall be the same as the criteria which the public agency uses when it initiates an evaluation.

Individualized Educational Planning Committee

A. Right to be a participant in the IEP meeting scheduled at a mutually agreeable time and place, within 30 calendar days after the school district completes the M-team evaluation.

B. Right to be accompanied to the IEP meeting by any person(s) you desire.

C. Right to be a participant at the annual review of the IEP.

D. Right to request an Individual Educational Planning Committee meeting if a change in the plan is needed.

E. Right to understand the proceedings at the IEP meeting, including the use of an interpreter, if necessary.

Least Restrictive Environment

A. Right to have the child educated with nonhandicapped children to the maximum extent appropriate.

B. Right to have supplementary services such as teacher consultants or other support services to make it possible for the child to remain in a regular education classroom.

C. Right to have the child assigned from regular education class to special education only after supplementary aid and services were found unsatisfactory.

D. Right to have a continuum of alternative placements so that if removal from regular education is necessary, placement can be in the least restrictive environment.

E. Right to have placement in the school the child would attend if non-handicapped in nonacademic and extracurricular services and activities such as meals, recess, counseling, clubs, athletics, transportation and special interest groups.

Complaint

A. Right to appeal a complaint to the state superintendent.

B. Right to submit a written complaint that there has been a specific violation, misinterpretation, or misapplication of the special education rules.

C. Right to be contacted by the State Department of Public Instruction regarding the written complaint.

Hearing

A. Right of parent to request an impartial due process hearing to question the school's identification, evaluation, placement of a child or provision of a free, appropriate public education.

B. Right of the school to request an impartial due process hearing if the parent refuses to consent to evaluation, placement of a child, or provision of a free, appropriate public education.

C. Right to have the hearing conducted by the school district including the use of an interpreter, if necessary.

D. Right to be told of any free or low cost legal and other relevant services available (e.g., expert on handicapping conditions that may be a witness at the hearing).

E. Right to have the hearing conducted by a mutually agreed upon impartial hearing officer.

F. Right to see a statement of the qualifications of the hearing officer.

G. Right to be accompanied to the hearing and advised by counsel and individuals with special knowledge or training in problems of the handicapped.

H. Right to have the child present.

I. Right to have the hearing open to the public.

J. Right to present evidence and confront, cross-examine, and compel the attendance of witnesses.

K. Right to prohibit the introduction of any evidence at the hearing that had not been disclosed at least five days before the hearing.

L. Right to have a record of the hearing.

M. Right to obtain written findings of fact and a written decision within 45 days after the agency receives the initial request for the hearing.

N. Right to appeal to the state superintendent and receive a decision within 30 days of the filing to the parent.

O. Right to appeal a decision from the state superintendent into court.

P. Right to have the child remain in his present educational placement during the administrative proceeding, unless parent and agency agree otherwise.

Records

A. Right to inspect and review your child's records.

B. Right to have parents' representative inspect and review your child's records.

C. Right to request copies of records paying only the cost of reproduction.

D. Right to receive a list of all types and locations of records being collected, maintained or used by the agency.

E. Right to ask for an explanation of any item in the record.

F. Right to ask for an amendment to any record on the grounds it is inaccurate, misleading, or violates the privacy rights.

G. Right to a hearing to challenge information in educational records.

Confidentiality of Information

A. Right to restrict access to your child's records by withholding consent to disclose records.

B. Right to be told to whom information has been disclosed.

Destruction of Information

A. Right to be informed that information in the child's file is no longer needed to provide educational services and the agency wishes to destroy the information.

B. Right to be informed that all behavioral records must be destroyed one year after a child graduates or attended the school unless the parents request the school to maintain them.

C. Right to request that educational information about your child be destroyed.

Protecting Student's Rights

A. Responsibility of the public agency to assure that handicapped persons under the age of 18 shall have a parent or legal guardian to represent them.

Placement

A. Right of parent to place a child in a private school in spite of the local school district's ability to provide a free, appropriate public education; however, parents must bear the cost.

B. Right to immediate placement of your handicapped child in an appropriate special education program upon your written consent when moving into a new school district.

C. Right to have the school seek placement outside the district if they cannot provide an appropriate program within the district.

RESOURCE ORGANIZATIONS FOR PARENTS OF HANDICAPPED CHILDREN*

This is not intended to be an inclusive list. If you need further information/referral, please feel free to call the DHCPS Hotline:

MONDAY-FRIDAY	8 AM - 4 PM	
Madison	608-266-8143	(Voice and TDD)
Milwaukee	414-342-3020	
Statewide	1-800-362-3020	

WHEN CALLING THE HOTLINE NUMBER, PLEASE ASK OPERATOR FOR "DHC HOTLINE."

Association for Developmental Disabilities
5522 University Avenue
Madison, Wisconsin 53705
(608) 231-3338

Association for Retarded Citizens
5522 University Avenue
Madison, Wisconsin 53705
(608) 231-3335

Cerebral Palsy, Inc.
1066 Mather Street
Green Bay, WI 54303
(414) 494-5627

Easter Seal Society of Wisconsin
2702 Monroe Street
Madison, Wisconsin 53711
(608) 231-3411

Easter Seal Society of Milwaukee County
5225 West Burleigh Street
Milwaukee, Wisconsin 53210
(414) 871-1270

*These represent addresses/phone numbers available at time of printing.

The Muscular Dystrophy Association is divided into three regions and has no centralized state office.

5007 Monona Drive
Madison, Wisconsin 53716
(608) 222-3269

5918 West North Avenue
Milwaukee, Wisconsin 53208
(414) 453-7600

1002 South Fisk
Green Bay, Wisconsin 54304
(414) 499-4571

National Spinal Cord Injury Association and
Wisconsin Paralyzed Veterans
9001 Watertown Plank Road
Milwaukee, Wisconsin 53226
(414) 475-7792

Prader-Willi Syndrome Association
P.O. Box 392
Long Lake, Minnesota 55356

Wisconsin Representative
Mrs. Virginia Cardarella
5418 Camden Road
Madison, Wisconsin 53716
(608) 222-6755

Tuberous Sclerosis Association
State Representative, Mrs. Pat Martinelli
Route 8, 6063 Grandview Road
Verona, Wisconsin 53593
(608) 271-3663

United Cerebral Palsy of Wisconsin
625 West Washington Avenue
Madison, Wisconsin 53703
(608) 251-6533

Volunteer Braillists, Inc.
5930 Old Sauk Road
Madison, Wisconsin 53705
(608) 231-1966 (9 a.m. - noon)

Wisconsin Association for Children with Behavior Disorders
Georgia Yanicke, President (exp. 11-84)
Elementary Zone Office/Milwaukee Public Schools
3620 North 18th Street
Milwaukee, Wisconsin 53206
(414) 449-2422

Wisconsin Association for Children with Learning Disabilities
Dr. John Burr, President (exp. 12-84)
2114 Doemel Street
Oshkosh, Wisconsin 54901
(414) 233-1977

Wisconsin Association for the Deaf

Margaret James
2226 North 57th Street
Milwaukee, Wisconsin 53208
(414) 353-2258
(414) 278-6840

Jean Cordano
520 Parish Street
Delavan, Wisconsin 53115
(414) 728-3705 (TTY only)

Wisconsin Association of Family and Children's Agencies
30 West Mifflin Street
Madison, Wisconsin 53703
(608) 257-5939

Wisconsin Association of Nonpublic Schools
Ms. Pat Meloy, Executive Secretary
30 West Mifflin Street, Suite 910
Madison, Wisconsin 53703
(608) 257-0004

Wisconsin Chapter, Tourette Syndrome Association, Inc.
c/o Comprehensive Child Care Center
1000 North Oak Avenue
Marshfield, Wisconsin 54449
(715) 387-5511

Wisconsin Coalition for Advocacy
30 West Mifflin Street
Madison, Wisconsin 53703
(608) 251-9600 or toll-free 1-800-362-9053

Wisconsin Council of the Blind, Inc.
1245 East Washington Avenue
Madison, Wisconsin 53703
(608) 255-1166

Wisconsin Disability Coalition
1954 East Washington Avenue
Madison, Wisconsin 53704
(608) 255-7696 (TTD, Voice)

Wisconsin Epilepsy Association
206 East Olin Avenue
Madison, Wisconsin 53713
(608) 255-9009

Wisconsin Head Start
Christine Lehman, Handicapped Advocate
7 North Pinckney Street, Suite 325C
Madison, Wisconsin 53703
(608) 266-6547

Wisconsin PTA
223 North Baldwin Street
Madison, Wisconsin 53703
(608) 256-1312

Wisconsin Speech-Language-Hearing Association
P.O. Box 93
Pewaukee, Wisconsin 53072
(414) 933-7955

Wisconsin Spina Bifida Association
P.O. Box 18093
Milwaukee, Wisconsin 53218
(414) 461-9252

Wisconsin State Society for Autistic Children
5522 University Avenue
Madison, Wisconsin 53705
(608) 231-3365

The Youth Policy and Law Center, Inc.
30 West Mifflin Street, Suite 904
Madison, Wisconsin 53703
(608) 263-5533

STATE AGENCIES

Department of Administration
Lew Stark
State Section 504 Coordinator
101 S. Webster Street, GEF 2
P.O. Box 7864
Madison, Wisconsin 53707
(608) 266-0411

Department of Health and Social Services
Council on Developmental Disabilities
One West Wilson Street, Room 490
P.O. Box 7851
Madison, Wisconsin 53707
(608) 266-7826

Division of Vocational Rehabilitation
Disability Information and Referral
131 West Wilson Street
P.O. Box 7852
Madison, Wisconsin 53707
(608) 266-8922 (Voice and TDD)
(800) 362-9611 Wisconsin other than Dane Co. (Voice and TDD)

Office for the Hearing Impaired (Central Office)
One West Wilson Street, Room 540
P.O. Box 7851
Madison, Wisconsin 53707
(608) 266-8081 (Voice)
(608) 266-8083 (TTY)

Outreach Offices

Southern Regional Office
3601 Memorial Drive
Madison, Wisconsin 53704

Southeastern Regional Office
141 Northwest Barstow, Room 209
P.O. Box 1258
Waukesha, Wisconsin 53187

Milwaukee Regional Office
819 N. 6th Street, 6th Floor
Milwaukee, Wisconsin 53203

Eastern Regional Office
200 N. Jefferson
Green Bay, Wisconsin 54301

Western Regional Office
718 West Clairmont Avenue
P.O. Box 228
Eau Claire, Wisconsin 54701

Northern Regional Office
1853 N. Stevens Street
P.O. Box 697
Rhinelander, Wisconsin 54501

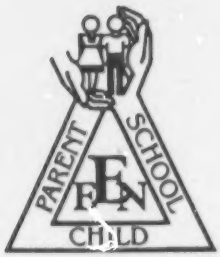
Central Wisconsin Center for the Developmentally Disabled
Library Information Center
317 Knutson Drive
Madison, Wisconsin 53704
(608) 249-2151, ext. 327

Department of Public Instruction
Herbert J. Grover
State Superintendent
125 South Webster Street, GEF 3, 5th Floor
P.O. Box 7841
Madison, Wisconsin 53707
(608) 266-1771

Victor J. Contrucci
Assistant State Superintendent
Division for Handicapped Children and Pupil Services
125 South Webster Street, GEF 3, 4th Floor
P.O. Box 7841
Madison, Wisconsin 53707
(608) 266-1649

Waisman Center on Mental Retardation and Human Development
1500 Highland Avenue
Madison, Wisconsin 53706
(608) 263-5776

GLOSSARY*



ACHIEVEMENT TESTS - A test that measures what a child has already learned.

AFFECTIVE - Pertains to feelings or emotions.

AIDES - See Special Education Program Aides.

APPEALS - See Hearing and Appeals.

APTITUDE TEST - A test which measures someone's capacity, capability or talent for learning something.

ATTENTION SPAN - The extent to which a person can concentrate (through vision, hearing, or both) on things.

AUDIOGRAM - A graph showing the range of hearing. Hearing sensitivity for air- and bone-conducted sounds may be shown on the graph.

AUDIOLOGY - The study of hearing and hearing disorders.

AUDITORY COMPREHENSION - The ability to understand what one hears.

* Definitions used with permission from the AWSA Special Education Handbook for Principals and the CESA 14 Handbook for Parents.

AUDITORY DISCRIMINATION - The ability to detect subtle differences among sounds in words (tap-cap; cap-cop).

AUDITORY MEMORY - The ability to remember what is heard (words, numbers, stories). This includes both short- and long-term memory.

AUDITORY PERCEPTION - The ability to receive sounds accurately and to understand what they mean.

BEHAVIOR MODIFICATION - A procedure that is based on the belief that all behavior is learned and therefore can be unlearned (changed). One must decide the specific behavior to be changed and decide on a definite plan for accomplishing that goal.

BEHAVIORAL RECORDS - Pupil (student) records which include: psychological tests, personality evaluations, records or conversations, any written statement concerning a student's behavior, achievement and/or ability tests, health records, and any other student records which are not progress records.

BLIND - See Visually Handicapped.

BOARDING HOME - Homes to care for nonresident students who are receiving educational services or programs, or both, for five days a week.

BODY IMAGE - An awareness of one's own body and the relationship of the body parts to each other and to the outside world.

CHAPTER 115 - See Subchapter V, Chapter 115, Wisconsin Statutes.

CHILD ADVOCATE - An individual who represents the parents of a student.

CODE OF FEDERAL REGULATIONS (CFR) - Code published by the federal government which contains the regulations which implement federal legislation.

COGNITIVE - The act or process of knowing.

COMMUNITY BOARDS - County-based community organized services for mentally ill and developmentally disabled citizens and others defined by Wis. Stats., s. 42.451, requiring services related to their disability. They are referred to as 51.42 and 51.437 boards.

COOPERATIVE EDUCATIONAL SERVICE AGENCY (CESA) - A service unit between the local school district and the state superintendent designed to serve educational needs.

COORDINATION, VISUAL MOTOR - The ability to relate vision with movements of the body or parts of the body.

COORDINATION, GROSS MOTOR - Pertains to use of large muscle groups (jumping, running)

COORDINATION FINE MOTOR - Pertains to usage of small muscle groups (writing, cutting).

COUNTY DEPARTMENTS OF SOCIAL SERVICES - The county agency responsible for entitlement programs, e.g. AFDC and services programs, e.g. child welfare services.

COUNTY HANDICAPPED CHILDREN'S EDUCATION BOARD (CHCEB) - Boards established by the county board of supervisors to provide exceptional education services and programs.

CRIPPLING DISABILITY - See Physically Handicapped.

DEAF - See Hearing Impaired.

DEAF-BLIND - This term is found in P.L. 94-142. Hearing and visual impairments, the combination of which causes severe communication, developmental, and educational problems such that accommodation cannot be in special education programs solely for deaf or blind children.

DECODING - Ability to change sounds or symbols into ideas.

DEVELOPMENTAL - Successive changes during the process of natural growth.

DIRECTIONALITY - Awareness of the two sides of the body and the ability to identify them as left and right and to project this correctly into the outside world, as in knowing which is the right hand of a person facing you.

DEPARTMENT OF PUBLIC INSTRUCTION (DPI) - Wisconsin's state education agency (SEA).

DEVELOPMENTAL DISABILITY - A disability attributable to mental retardation, cerebral palsy, epilepsy, autism or another related neurological condition constituting a substantial handicap which can be expected to continue indefinitely.

DIRECTOR - Individual responsible for the special education administrative structure including special education instructional and ancillary staff, programs and services for EEN students.

DISABILITY - One of the three (3) criteria in determining eligibility for exceptional educational services; either mental, physical, emotional and/or learning disability as determined by a multidisciplinary team (M-team).

DIVISION FOR HANDICAPPED CHILDREN AND PUPIL SERVICES (DHCPS) - Division of the Wisconsin Department of Public Instruction (DPI) which is responsible for special educational programs and services to children with EEN.

EDUCABLE MENTALLY RETARDED (EMR) - See Mental Retardation.

EDUCATION FOR ALL HANDICAPPED CHILDREN ACT OF 1975 - See Public Law 94-142.

EMOTIONAL DISTURBANCE (ED) - A handicapping condition characterized by emotional, social and behavioral functioning which significantly interferes with a student's educational program. Emotional disturbance is characterized by deviant behavior which is severe, chronic or frequent and manifested in at least two of the student's primary environments (home, school and community).

Note: Educational program includes social interactions, interpersonal relationships and personal adjustment, as well as academic skills. A student can be functioning adequately in academic areas and still be identified as having an emotional disturbance.

EVALUATION, PSYCHOLOGICAL - An assessment to determine the level of functioning through the use of group and/or individual tests. The tests determine the level of functioning in three areas:

1. COGNITIVE -- How much one knows in certain areas; how one thinks.

2. AFFECTIVE -- Pertains to feelings or emotions.

3. PERCEPTUAL MOTOR CONTROL, coordination and appropriate responses from all parts of the body.

EXCEPTIONAL EDUCATIONAL NEED (EEN) - A disability, handicapping condition and need for special education as determined by the M-team.

EXPRESSIVE LANGUAGE SKILLS - Skills required to produce language for communication with other people. Speaking and writing are expressive language skills.

EYE-MOTOR COORDINATION - The ability to relate vision with movements of the body or parts of the body.

FINE MOTOR COORDINATION - Development and control of small muscles such as those used to cut, hold a pencil, etc.

GROSS MOTOR COORDINATION - The development and awareness of large muscle activity. Coordination of large muscles in a purposeful manner such as walking and jumping.

HANDICAPPING CONDITION - One of three (3) criteria in determining eligibility for exceptional education services.

HANDICAPPED PERSON - A person who has a physical or mental impairment which substantially limits his/her daily functioning.

HARD OF HEARING - See Hearing Impaired.

HEARING - An official proceeding conducted by a hearing officer when a student's identification, assessment, placement and/or programming is in question.

HEARING IMPAIRED (HANDICAPPED) (HI) - A hearing loss that hinders a student's ability to communicate. There are two degrees of severity.

*Hard of Hearing

Students who, with a hearing aid, can develop an adequate language system. These students evidence a loss of 30 decibels or more in the better ear (although an audiogram shall not be the sole criterion).

*Severely Handicapped Hearing

Students who, with or without a hearing aid, are unable to interpret aural-oral communication. These students evidence a minimum loss of 70 decibels in the better ear.

HEARING OFFICER - An individual appointed by the school board to conduct an official hearing.

HOMEBOUND INSTRUCTION PROGRAM TYPE (H) - Program type serving students with exceptional educational needs (EEN) while at home, in the hospital, a sanitarium, or a convalescent home.

INDEPENDENT EVALUATION - Educational evaluation conducted by a qualified examiner who is not employed by the agency responsible for child's education.

LANGUAGE, EXPRESSIVE - Speaking and writing.

LANGUAGE, RECEPTIVE - Listening and reading.

LEARNING DISABILITIES (CHAPTER 115); SPECIFIC LEARNING DISABILITY (P.L. 94-142) - A handicapping condition in which students have learning problems which interfere with their ability to acquire, organize, and/or express information, which impairs their ability to read, write, spell, or calculate mathematically.

LEAST RESTRICTIVE ENVIRONMENT (LRE) - To the maximum extent appropriate, a handicapped child will be educated in an environment with nonhandicapped peers, and that separate schooling and other removal from the regular environment occurs only when the nature or severity of the handicap would prevent education in the regular environment.

LOCAL EDUCATION AGENCY (LEA) - Educational agency responsible for the delivery of educational services and programs.

MENTAL RETARDATION (MENTALLY RETARDED, DEVELOPMENTALLY DISABLED) - Significantly below average general intellectual functioning which exists along with deficiencies in adaptive behavior.

MULTIDISCIPLINARY TEAM (M-TEAM) - Group of at least two district professionals appointed to determine if a student has exceptional educational needs (EEN); one of whom must be certified and licensed in area(s) of suspected EEN.

MULTIPLE HANDICAPPED - Students who have two or more handicapping conditions.

OCCUPATIONAL THERAPY (OT) - Therapy (upon medical recommendation) for any student who has a congenital or acquired disease or condition of such severity that achievement of normal growth and development may be hindered.

OFFICE FOR CIVIL RIGHTS (OCR) - Office within the U.S. Department of Education responsible for implementation and enforcement of the civil rights of citizens granted under the United States Constitution and Statutes.

OPERATIONS - Processes involved in thinking.

1. COGNITION -- Comprehension or understanding.

2. MEMORY -- Retention and recall of information.

3. CONVERGENT THINKING -- Bringing together of known facts.

4. DIVERGENT THINKING -- Use of knowledge in new ways. Creative thinking.

5. EVALUATION -- Critical thinking.

ORTHOPEDICALLY IMPAIRED - See Physically Handicapped.

OTHER HEALTH IMPAIRED - Students who have limited strength, vitality, or alertness due to health problems.

PERCEPTION - The process of interpreting sensory information. The accurate mental association of present stimuli with memories of past experience.

PERSONALLY IDENTIFIABLE INFORMATION (PII) - This information includes: student's name, student's parent(s), other family members, student's address, student's social security number or student number.

PHYSICALLY HANDICAPPED - Students who have physical defects, organic diseases or other conditions that hinder their achievement of normal growth.

PHYSICAL THERAPY (PT) - Therapy that is given upon medical recommendation to students who have neurological dysfunctions in order to improve general physical condition, functional self-care, effective speech, ambulation and progress toward independence.

PUBLIC LAW 94-142 - Federal statute (Education for All Handicapped Children Act of 1975) dealing with the education of handicapped children.

QUALIFIED HANDICAPPED PERSON - Under Section 504, the key term is "qualified." With respect to a school-aged person, a qualified handicapped person is one to whom the state is required to provide a free appropriate public education. In Wisconsin this age is 3 through 21. See Handicapped Person.

READING COMPREHENSION - The ability to understand what one has read.

RECEPTIVE LANGUAGE - Receiving and understanding spoken or written communication. The receptive language skills are listening and reading.

RE-EVALUATIONS - An M-team evaluation conducted for each student receiving special education every three years or sooner if a parent or instructor deems necessary. The annual review of the IEP is not considered to be a re-evaluation.

REFERRAL - Procedure by which the multidisciplinary team (M-team) process is initiated to identify if a student has an exceptional educational need (EEN). Each district is required to have a written referral procedure.

RELATED SERVICES - Transportation and such developmental, corrective, and other supportive services required to assist a handicapped child to benefit from special education.

Note: In Wisconsin, speech and language is considered a special education program as well as a related service.

SCHOOL-AGE MOTHERS (SAM) - Educational program for school-age pregnant girls and mothers.

SCHOOL PSYCHOLOGIST - Certified individual responsible for providing psychological services for students, parents, and school staff.

SCHOOL SOCIAL WORKER - Certified individual responsible for providing for the adaptive, social-emotional, behavioral, personal, family, and community liaison needs of EEN children and other children.

SCREENING - Process by which school districts identify students suspected of having exceptional educational needs (EEN), who are then referred for an M-team evaluation.

SECTION 504 OF THE REHABILITATION ACT OF 1973 (P.L. 93-112) - A federal statute dealing with nondiscrimination based upon a handicap.

SELF-CONCEPT - A person's idea of oneself.

SOCIAL ACCEPTANCE - The ability to get along with one's peers (friends).

SOCIAL MATURITY - The ability to assume personal and social responsibility, expected of persons of similar age.

SPECIAL EDUCATION - Specially designed instruction at no cost to parents to meet unique individual needs of handicapped children.

SPECIAL EDUCATION PROGRAM AIDES - Certified individuals responsible for assisting exceptional education classroom teachers in providing instructional services for exceptional educational needs (EEN) students.

SPECIFIC LEARNING DISABILITY - See Learning Disabilities

SPEECH AND LANGUAGE HANDICAPS (CHAPTER 115); SPEECH IMPAIRED (P.L. 94-142) - Handicapping conditions characterized by a delay or deviance in the acquisition of prelinguistic, receptive and/or expressive skills of oral communication.

STATE EDUCATION AGENCY (SEA) - An educational agency that is responsible at the state level for the delivery of educational programs and services under P.L. 94-142. In Wisconsin, the SEA is the Department of Public Instruction.

SUBCHAPTER V, CHAPTER 115, WISCONSIN STATUTES - Wisconsin statute implementing the education of all handicapped children.

SUPPORTIVE SERVICES - This includes physical therapy (PT), occupational therapy (OT), psychology, social work and transportation.

TACTILE - Sense of touch.

THERAPY AIDE - See Special Education Program Aides.

VISUALLY HANDICAPPED - Students who have visual deficiencies which even with correction adversely affect a child's educational performance.

VISUAL PERCEPTION - The identification, organization and interpretation of data received through the eye.

WORD ATTACK SKILLS - The ability to analyze words.